

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

ORLANDO JAMES,

Plaintiff,

v.

Case No. 2:07-cv-235
HON. ROBERT HOLMES BELL

UNKNOWN JONDREAU, et al.,

Defendants.

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REPORT AND RECOMMENDATION

This case is scheduled for a jury trial to commence March 24, 2010. This Court's Case Management Order, issued August 27, 2009 (Docket #74), ordered plaintiff to file a Pretrial Narrative Statement by December 22, 2009. Plaintiff was warned that failure to file a Pretrial Narrative Statement would result in dismissal of plaintiff's case for failure to follow the orders of this Court and for failure to prosecute. As of this date, plaintiff has not filed a Pretrial Narrative Statement. Accordingly, it is recommended that plaintiff's complaint be dismissed in its entirety, pursuant to Fed. R. Civ. P. 41(b), for failure to prosecute. *See Catz v. Chalker*, 142 F.3d 279, 286 (6th Cir. 1998); *Jourdan v. Jabe*, 951 F.2d 108 (6th Cir. 1991); *Buck v. U.S. Dept. of Agriculture*, 960 F.2d 603 (6th Cir. 1992).

NOTICE TO PARTIES: Objections to this Report and Recommendation must be served on opposing parties and filed with the Clerk of the Court within ten (10) days of receipt of this Report and Recommendation. 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b); W.D. Mich. LCivR 72.3. Failure to file timely objections constitutes a waiver of any further right to appeal.

United States v. Walters, 638 F.2d 947 (6th Cir. 1981). *See also Thomas v. Arn*, 474 U.S. 140 (1985).

/s/ Timothy P. Greeley
TIMOTHY P. GREELEY
UNITED STATES MAGISTRATE JUDGE

Dated: February 16, 2010